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PATENT COOPERATION TREATY

From the: NIER JONAL PRELIMINARY EXA	MINING AUTHORITY	2004		
To: WALLINGTON-DUMMER GPO Box 3888 SYDNEY NSW 2001		PCT NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 71.1)		
		Date of mailing day/month/year	0 6 JUL 2004	
Applicant's or agent's file reference 035003		IMPORTANT NOTIFICATION		
International Application No. PCT/AU2003/000314	International Filing Date 14 March 2003		Priority Date 14 March 2002	
Applicant BRUCE, Darren Paul et al			•	

- 1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translations to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Burean with Form PCT/IE/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide

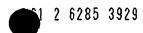
Name and mailing address of the IPEA/AU	Authorized officer
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pot@ipsustralia.gov.zu Facsimile No. (02) 6285 3929	Geoff Sadlier
	Telephone No. (02) 6283 2114

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

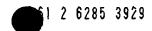
Applicant's or agent's file reference 035003 International Application No. PCT/AU2003/000314 International Patent Classification (IPC)	PRELITION (PCT Article 36 FOR FURTHER ACTION International Filing I (day/month/year)	Examination	on of Transmittal of International Preliminary Report (Form PCT/IPEA/416). Priority Date (day/month/year)
035003 International Application No.	ACTION International Filing I	Examination	Report (Form PC1/12) Priority Date (day/month/year)
035003 International Application No.	(day/month/yeur)	Tale) 1403
			14 March 2002
PCT/AU2003/000314	1 . 4 March 2003		
	or national classificatio	n and IPC	
International Patent Constitution			· · · · · · · · · · · · · · · · · · ·
Int. Cl. 7 A43B 3/24			
Applicant BRUCE, Darren Paul et al			
			is International Preliminary Examining Authority
1. This international preliminary examined is transmitted to the applicant	amination report has been taccording to Article 36	en prepared by un	is International Preliminary Examining Authority
	of 4 spects, including anied by ANNEXES, Le	sheets of the di	echnications made
These annexes consist of	- •	_	
These annexes consist us.	the following	g items:	-
3 This report contains indications			
I X Basis of the repor			
II Priority		a is riggelty, inve	entive step and industrial applicability
III Non-establishme	nt of opinion with regar	(U 110 + ox -)	
IV Lack of unity of	invention	to a mod to Di	welty, inventive step or industrial applicability,
citations and ex	higher of the	with regard to hi	ovelty, inventive step or industrial applicability,
Certain docume	nts cited		
VII Certain defects	in the international appl	ПСВПОЛ	
VIII X Certain observa	tions on the internation	al application	
10-000			completion of the report
Date of submission of the demand		23 June	
13 October 2003 Name and mailing address of the IPE	LA/AU	Authoriz	zed Officer
THE CENTER			
L TION THOUSEN ALL POUR	AUSTRALIA	Geoff	Sadlier
F-mail address: pc@ipaustralia.gov Facsimile No. (02) 6285 3929		Toleph	one No. (02) 6283 2114



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/AU2003/000314

Ľ	Basis of the repo	ort
1	With regard to the ele	ments of the international application.*
•	X the internationa	l application as originally filed.
	the description,	pages , as originally filed,
		pages, filed with the demand,
		pages, received on with the letter of
	the claims,	pages , as originally filed,
		pages , as amended (together with any statement) under Article 19,
		pages , filed with the demand,
		pages, received on with the letter of
	the drawings,	pages, as originally filed,
		pages , filed with the demand,
		pages, received on with the letter of
	the sermence list	ting part of the description:
	(i.o sequence and	· ·
		pages , as originally filed
		pages, filed with the demand
		pages, received on with the letter of
2.		guage, all the elements marked above were available or furnished to this Authority in the language in I application was filed, unless otherwise indicated under this item.
		vailable or furnished to this Authority in the following language which is:
	the language of	a translation furnished for the purposes of international search (under Rule 23.1(b)):
	the language of j	publication of the international application (under Rule 48 3(b)).
	the language of 1 and/or 55.3).	the translation furnished for the purposes of international preliminary examination (under Rules 55.2
3.		cleotide and/or amino acid sequence disclosed in the international application, the international alion was carried out on the basis of the sequence listing:
	contained in the	international application in written form.
	filed together wit	th the international application in computer readable form.
	firmished subseq	pently to this Authority in written form.
	furnished subsequ	uently to this Authority in computer readable form.
		at the subsequently fornished written sequence listing does not go beyond the disclosure in the lication as filed has been furnished.
	The statement the	at the information recorded in computer readable form is identical to the written sequence listing has
4 .	The amendments	have resulted in the cancellation of:
	the descr	ription, pages
	the clain	ns, Nos.
	the draw	ings, sheets/fig.
5.	This report has be go beyond the dis	cen established as if (some of) the amendments had not been made, since they have been considered to closure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**
*	Replacement sheets whi	ich have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in by filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).
t a		containing such amendments must be referred to under item I and annexed to this report



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/AU2003/000314

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

	Out cahimmon mabbarane				
1.	Statement				
	Novelty (N)	Claims	3-14	YES	
		Claims	1, 2, 15-18	NO	
	Inventive step (IS)	Claims	3-14	YES	
i		Claims	1, 2, 15-18	NO	
	Industrial applicability (IA)	Claims	1-18	YES	
İ		Claims		NO	
					_

2 Citations and explanations (Rule 70.7)

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1 - US 5778564

D2 - FR 2659837

D3 - US 5566477

D4 - US 5311676

D5 - US 3994080

D6 - US 6212797

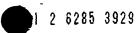
The claimed invention relates to shoes adapted to accept a range of interchangeable covers, so as to alter the appearance and/or use environment of the shoe assembly.

Claim 1 defines an interchangeable footwear system in which any one of a plurality of interchangeable covers are adapted to be fitted to a base shoe.

However each of the documents D1-D6 clearly discloses a footwear system comprising a base shoe and interchangeable covers having all the features defined in claim 1. Therefore the subject matter of claim 1 is not new and fails to meet the requirements of Article 33 PCT with regard to the requirement for novelty and inventive step

Furthermore, the features added by appended claims 2 and 15-18 are either known from one or more of the documents D1-D6 or are features which are typical in devices of this type and therefore cannot be considered as contributing to patentable ingenuity.

Claims 3-14 are distinguished from the cited documents by the particular arrangement used to attach the cover to the base shoe. Therefore the subject matter of these claims is new and meets the requirements of Article 33(2) PCT with regard to the requirement for novelty. These claims are also not obvious in the light of any of the cited documents nor disclosed in any obvious combination, nor would these claims be obvious to a person skilled in the art in the light of common general knowledge by itself or in combination with any of the documents.



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
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ZIII.	Certain	observations on	the international	application

The following observations on the claims description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 4 is not clear because it is appended to itself. It appears that you may have intended to be appended that claim to claim 3 and hence the comments in box V were established on this basis.